

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION

IN RE PACKAGED ICE ANTITRUST
LITIGATION

Case No. 08-MDL-01952

Paul D. Borman
United States District Judge

INDIRECT PURCHASER ACTION

R. Steven Whalen
United States Magistrate Judge


ORDER DENYING DEFENDANTS' OBJECTIONS TO THE FILING OF THE INDIRECT
PURCHASER PLAINTIFFS' CONSOLIDATED CLASS ACTION COMPLAINT

On June 24, 2011, Arctic Glacier and Home City, in a joint motion (Dkt. No. 375), and Reddy Ice in a separate motion (Dkt. No. 376), moved to dismiss the Indirect Purchaser Plaintiffs' ("IP Plaintiffs") Consolidated Class Action Complaint (Dkt. No. 367, the "CCAC"). The matters are scheduled for oral argument on Friday, October 28, 2011. The Court concludes that oral argument is unnecessary on Defendants' argument that the Court should dismiss the CCAC because the IP Plaintiffs failed to seek leave of Court to file the CCAC. E.D. Mich. L.R. 7.1. The Court finds that the parties entered into a stipulation permitting IP Plaintiffs to file an amended complaint, reserving to the Defendants the right to object to any such complaint on any and all grounds. Thus, the Court will permit the filing of the CCAC and will hear argument on each of the remaining issues raised in the June 24, 2011 motions, including Defendants' argument that the IP Plaintiffs lack standing to add new named IP Plaintiffs to bring claims previously dismissed by the Court.

IT IS SO ORDERED.

Dated:

10-24-11



PAUL D. BORMAN
UNITED STATES DISTRICT JUDGE